

APPENDIX C

UNITED STATES FIRM PROTECTION OF PROPOSAL INFORMATION

1. If a firm wishes to restrict the dissemination and use of information (data) contained in documents provided by United States firms to a Command, the title page of the document must be marked with the following restrictive legend:

RESTRICTION ON DISCLOSURE AND USE OF INFORMATION (DATA)

The information (data) in this proposal shall not be disclosed outside of the Government and shall not be duplicated, used, or disclosed in whole or in part for any purpose other than to evaluate the proposal or, provided that if a Technical Assistance Agreement is negotiated by the Corps and the firm as a result of or in connection with the submission of the information (data), the Government shall have the right to duplicate, use, or disclose the information (data) to the extent to which agreed. This restriction does not limit the Government's right to use information (data) if it is obtainable from another source without restriction. The information (data) subject to this restriction are contained in pages _____.

2. The firm shall also mark each restricted sheet of the document with the following legend:

Use or disclosure of this information (data) is subject to the restriction on the title page of this document.

3. The Command will return to the firm any proposal marked with a legend different from that provided above. The return letter will state that the proposal cannot be considered because it is impracticable for the Government to comply with the legend, but that the proposal will be considered if resubmitted with the proper legend.

4. Unless the firm clearly states in writing that no restrictions are imposed on the disclosure or use of the information (data) contained in the document, the Command will place a cover sheet on the proposal or clearly mark it as follows: